UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/856,552	01/18/2002	Siren Ollfors	060000-046	9804

27045 7590 03/15/2005

ERICSSON INC.
6300 LEGACY DRIVE
M/S EVR C11
PLANO, TX 75024

EXAMINER	
LIN, KENNY S	

ART UNIT	PAPER NUMBER
2154	

DATE MAILED: 03/15/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/856,552	OLLFORS ET AL.	
	Examiner	Art Unit	
	Kenny Lin	2154	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *18 January 2002*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-9* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-9* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☒ All b)☐ Some * c)☐ None of:

1.☒ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

1. Claims 1-9 are presented for examination.

Information Disclosure Statement

2. The information disclosure statement filed 4/24/2002 fails to comply with 37 CFR 1.98(a)(1), which requires the following: (1) a list of all patents, publications, applications, or other information submitted for consideration by the Office; (2) U.S. patents and U.S. patent application publications listed in a section separately from citations of other documents; (3) the application number of the application in which the information disclosure statement is being submitted on each page of the list; (4) a column that provides a blank space next to each document to be considered, for the examiner's initials; and (5) a heading that clearly indicates that the list is an information disclosure statement. The information disclosure statement has been placed in the application file, but the information referred to therein has not been considered.

Claim Rejections - 35 USC § 112

3. The following is a quotation of the second paragraph of 35 U.S.C. 112:

> The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

4. Claims 1-9 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

a. The following terms lack proper antecedence basis:

i. The processors – claim 1, line 2 (do you mean administrative processor and worker processors? Or do you mean just the plurality of worker processors?);

ii. The worker processor – claim 1, line 3 (do you mean "the worker processors" or just one worker processor?);

iii. A worker processor – claim 1, line 12 (worker processor was introduced in line 3. Do you mean "a specific worker processor"?);

iv. Particular workers – claim 1, line 19 (do you mean particular worker processors?);

v. The particular probe type – claim 1, line 19 (particular probe type was never introduced);

vi. A particular worker processor – claim 2, line 2 (particular worker processor was first introduced in claim 1);

vii. The preceding change – claim 4, line 4 (do you mean a preceding change?);

viii. An updating routine – claim 4, line 6 (updating routine was first introduced in claim 1. Is this a different updating routine?);

ix. An active state – claim 4, line 8 (active state was already introduced in line 2);

x. The worker processor – claim 5, line 1 (it is uncertain whether the worker processor here is referring to a particular worker processor or not);

xi. A notification routine – claim 5, line 2 (a notification routine was already introduced in claim 1);

xii. The probe state – claim 5, line 3 (Do you mean "the state of the probe"? If yes, please be consistent with the claim language);

xiii. An in-active state – claim 5, lines 3 (in-active state was already introduced in line 2 of claim 4);

xiv. The respective worker processors – claim 6, line 2 (Do you mean "the plurality of processors"?);

xv. The processors – claim 7, line 2 (do you mean administrative processor and worker processors? Or do you mean just the plurality of worker processors?).

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

6. Claims 1-3 and 6 are rejected under 35 U.S.C. 103(a) as being unpatentable over Tams et al (hereinafter Tams), US 6,279,037, in view of Van Doren et al (hereinafter Van Doren), US 6,061,765.

7. As per claim 1, Tams taught the invention substantially as claimed including a multiprocessor system, comprising an administrative processor (col.8, lines 46-50, 63-61) and a plurality of worker processors comprising CPU and memory, the processors being interconnected by means of a network (col.8, lines 13-23; computers), the administrative processor and the worker processor being adapted for storing values in data-structures denoted probes whereby:

a. The administrative processor is adapted to keep a record of whether a certain type of probe exists on a particular worker processor (col.8, lines 63-67, col.9, lines 1-11, 14-18, col.10, lines 4-9; probe information), and whereby:

b. In case a probe type is created or deleted on a worker processor (col.10, lines 20-22; probe is turned on), the worker processor being adapted for initiating a notification routine in which the administrative processor is notified about the corresponding creation or deletion of the probe type on the particular work processor (col.11, lines 14-22);

c. The administrative processor is being adapted for initiating an updating routine, in which the administrative processor is acquiring a certain type of probe value from only those particular workers, for which the particular probe type exists (col.11, lines 14-22), whereby the administrative processor is storing the acquired probe values in a data-structure on the administrative processor (col.8, lines 63-67, col.9, lines 1-11, 14-18, col.10, lines 4-9, col.12, lines 42-49; probe information).

8. Tams did not specifically teach that each worker processor is adapted for creating and deleting probe types, and changing or incrementing corresponding probe values held on the respective worker processors. Van Doren taught to keep a record of whether a certain type of probe exists on a particular worker processor (col.4, lines 9-13, col.6, lines 11-12, 24-35) and that each worker processor is adapted for creating and deleting probe types (col.6, line 30-35, 58-61, col.9, lines 40-46, 56-67), and changing or incrementing corresponding probe values held on the respective worker processors (col.3, lines 66-67, col.4, lines 1-37, col.16, lines 29-42). It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Tams and Van Doren because Van Doren's teachings of having the worker process to create probe types and the use of probe values enables Tams' system to use the probe values to indicate the state of the data stored in data buffer (col.3, lines 66-67, col.4, lines 1-37, col.16, lines 29-48).

9. As per claim 2, Tams and Van Doren taught the invention substantially as claimed in claim 1. Van Doren further taught in which the administrative processor is adapted to run a re-write procedure to a particular worker processor, in which probe values are being re-written to the particular worker processor (col.3, lines 66-67, col.4, lines 1-37, col.15, lines 20-32, col.16, lines 29-48). It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Tams and Van Doren because Van Doren's teachings of having the worker process to create probe types and the use of probe values enables Tams' system to use the probe values to indicate the state of the data stored in data buffer (col.3, lines 66-67, col.4, lines 1-37, col.16, lines 29-48).

10. As per claim 3, Tams and Van Doren taught the invention substantially as claimed in claim 1. Tams further taught that wherein the administrative processor is coupled to an external processor by means of a second network, the external processor being able to trigger the updating routine of the administrative processor (fig.2, col.8, lines 40-50, 63-67, col.9, lines 1-11, 14-18, col.10, lines 4-9, col.12, lines 42-49).

11. As per claim 6, Tams and Van Doren taught the invention substantially as claimed in claim 1. Van Doren further taught that in which the administrative processor and the respective worker processors form part of a network switching system (fig.1, col.6, lines 2-8, 14-20). It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Tams and Van Doren because Van Doren's teachings of having the worker process to create probe types and the use of probe values enables Tams' system to use the probe values to indicate the state of the data stored in data buffer (col.3, lines 66-67, col.4, lines 1-37, col.16, lines 29-48).

12. Claims 4-5 are rejected under 35 U.S.C. 103(a) as being unpatentable over Tams and Van Doren as applied to claim 1 above, and further in view of "Official Notice".

13. As per claim 4, Tams and Van Doren taught the invention substantially as claimed in claim 1. Van Doren further taught that whereby the administrative processor is recording the state of the probe (col.3, lines 66-67, col.4, lines 1-37, col.16, lines 29-48), Tams and Van Doren

did not specifically teach to record the state of probe as active or inactive, the active state being indicative of the probe value having changed within a predetermined period of time since the preceding change, and the in-active state being indicative of the probe value having remained unchanged within the predetermined period, and whereby the administrative processor is adapted to carry out an updating routine in which the administrative processor is acquiring a certain type of probe value from only those worker processors on which the particular probe type exists in case the respective probe adopts an active state. Official Notice is taken that both the concept and advantage of determining the activity and inactivity is well known and expected in the art. For example, determining an idled activity. It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Tams and Van Doren and further monitor the activities of the probe to determine the changes of the state of the probe in Tams and Van Doren's system to track the changes in state values.

14. As per claim 5, Tams and Van Doren taught the invention substantially as claimed in claim 4. Tams further taught that whereby the worker processor is adapted to carry out a notification routine in which the administrative processor is notified about the probe state and the probe value (col.11, lines 14-22). Tams and Van Doren did not specifically teach to notify the probe state when the probe adopts an in-active state. Official Notice is taken that both the concept and advantage of using notification is well known and expected in the art to inform a particular activity such as change in state. It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Tams and Van Doren and

further notify the administrative processor for a change of an existing probe state to inform the status of the activities of the administrated processors in Tams and Van Doren's system.

15. Claims 7 and 9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Tams et al (hereinafter Tams), US 6,279,037, in view of "Official Notice".

16. As per claim 7, Tams taught the invention substantially as claimed including a method for transferring values being held locally in a computer complex comprising worker processors and an administrative processor (col.8, lines 46-50, 63-61), the processors being coupled by means of a network (col.8, lines 13-23; computers), the type of values being stored in data-structures denoted probes, characterized in that

a. Each individual worker processor performs a notification routine, whereby the administrative processor is requested to register if probe types are being created (col.10, lines 20-22, col.11, lines 14-22; probe is turned on),

b. The administrative processor performs an updating routine whereby values corresponding to a certain type of probe are acquired by the administrative processor from only those worker processors on which the probe in question exists (col.8, lines 63-67, col.9, lines 1-11, 14-18, col.10, lines 4-9, col.11, lines 14-22, col.12, lines 42-49; probe information).

17. Tams did not specifically teach the administrative processor to register if probe types are being deleted. However, since Tams taught to register probe types when they are created, it

would have been obvious to register probe type when probe are deleted. Official Notice is taken that both the concept and advantage of using notification is well known and expected in the art to inform a particular activity such as a removal, completion or cancellation of a task. It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Tams and further notify the administrative processor for a deletion of an existing probe type to inform the status of the activities of the administrated processors in Tams' system.

18. As per claim 9, Tams taught the invention substantially as claimed in claim 7. Tams further taught to carry out a notification routine in which the administrative processor is notified about the probe state and the probe value (col.11, lines 14-22). Tams did not specifically teach to mark the state of the probe as active if the particular probe value has changed within a predetermined period of time, and otherwise mark the probe as inactive, and transferring the probe value to the administrative processor in case the probe becomes inactive, and the updating routine furthermore providing that probe value are acquired from only those particular worker processors for which the probe in question exists and are active. Official Notice is taken that both the concept and advantage of determining the activity and inactivity is well known and expected in the art. For example, determining an idled activity. It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Tams and further monitor the activities of the probe to determine the changes of the state of the probe in Tams' system to track the changes in state values.

19. Claim 8 is rejected under 35 U.S.C. 103(a) as being unpatentable over Tams as applied to claim 7 above, and further in view of Van Doren et al (hereinafter Van Doren), US 6,061,765.

20. As per claim 8, Tams taught the invention substantially as claimed in claim 7. Tams did not specifically teach that the administrative process is adapted to run a re-write procedure to a particular worker processor, in which probe values are being re-written to the particular worker processor. Van Doren taught to keep a record of whether a certain type of probe exists on a particular worker processor (col.4, lines 9-13, col.6, lines 11-12, 24-35) and that each worker processor is adapted for creating and deleting probe types (col.6, line 30-35, 58-61, col.9, lines 40-46, 56-67), and changing or incrementing corresponding probe values held on the respective worker processors (col.3, lines 66-67, col.4, lines 1-37, col.16, lines 29-42). Van Doren further taught in which the administrative processor is adapted to run a re-write procedure to a particular worker processor, in which probe values are being re-written to the particular worker processor (col.3, lines 66-67, col.4, lines 1-37, col.15, lines 20-32, col.16, lines 29-48). It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Tams and Van Doren because Van Doren's teachings of having the worker process to create probe types and the use of probe values enables Tams' system to use the probe values to indicate the state of the data stored in data buffer (col.3, lines 66-67, col.4, lines 1-37, col.16, lines 29-48).

Conclusion

21. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Van Doren et al, US 6,209,065.

Wipfel et al, US 6,353,898.

Wipfel et al, US 6,151,688.

Razdan et al, US 6,295,583.

Razdan et al, US 2001/0029574 A1.

de Backer et al, US 6,266,745.

22. A shortened statutory period for reply to this Office action is set to expire THREE MONTHS from the mailing date of this action.

23. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kenny Lin whose telephone number is (571) 272-3968. The examiner can normally be reached on 8 AM to 5 PM Tue.-Fri. and every other Monday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Follansbee can be reached on (571) 272-3964. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

ksl
March 4, 2005

JOHN FOLLANSBEE
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100